

DISTRICT III ADVISORY BOARD

MINUTES

Wednesday, March 6, 2002

7:00 p.m.

Colvin Neighborhood City Hall, 2820 S. Roosevelt

Members Present

Matt Foley

John Kemp

Jim Gulick

Lois Ann Newman

Judy Dillard

Phyllis Hall

Bill Ward

Council Member Phil Lambke

Phil Bloomquist

Chantelle Brennan

Gene Fuhr

Members Absent

Jim Skelton

Staff

Vicki Mork

ORDER OF BUSINESS

Call to Order

Phil Lambke called the meeting to order at 7:00 p.m.

Approval of Minutes/Agenda

Motion was made to approve minutes as read.

Action: Approved by vote of 10-0. Newman(Gulick)

Public Agenda

1. Paul Weigand, 1141 Denker spoke to DAB III. He introduced his neighbor, Mr. Sumpter. They both appeared before DAB III last month. He is still interested in establishing a car lot at the corner of Hydraulic and Wassal. He is appearing again to report the outcome of his appearance before the South City Neighborhood Association in February. His plan for a car lot was approved 19-9 in favor of it. **Melody Stucky**, president of South City NA confirmed the favorable vote. **Gene Fuhr** offered to make a motion concerning the car lot however **Council Member Lambke** suggested he hold off as the matter would be coming before DAB III the following month as a planning case.

2. Vicki Mork, Neighborhood Assistant, explained the Wichita Public School materials she handed out. She said Wendy Johnson, Director of Community and Marketing for USD 259, contacted her and asked that the materials be made available. They are exploring school boundary changes and wanted to publicize the upcoming meeting at

White Elementary, 5148 S. Kansas scheduled for Tuesday, March 12 from 7-8:30 p.m. Everyone was encouraged to attend the meeting.

Public Works

3. Paul Gunzelman, Associate Traffic Engineer, presented plans to DAB III for planned improvements to the intersection of George Washington Boulevard and Mt. Vernon. He explained that Kansas Department of Transportation solicited intersections for improvement and this one was chosen in 1998 for geometric improvement. It will receive two left turn bays on George Washington Boulevard and the angle of the turn will be adjusted. The changes are intended to improve the safety of the intersection and reduce accident rates. He expects the final plans soon along with KDOT approval. They anticipate letting the contracts in May or June and expect it will be a four-month project depending upon the weather. They have been working with neighbors to move bushes and some tree removal will occur. Traffic will remain open through one lane. **Judy Dillard** was concerned that most of the accidents at the corner happened when the left turn lane was not operational. **Paul** agreed that was the case and said the upgrade would make them operational around the clock not just for a few hours. **Judy** was also concerned with friends of hers living in that area, whose access and egress will be impacted. **Paul** said his department was aware of the family's plight and they were working with them on the issues.

4. Bill Morris, Administrative Services with City Engineers office, reported on the progress of a petition drive for water service for 68th Street South and Minnesota. He stated that for the project to go forward 2/3's or 66.67% of the resident owners must sign the petition. He said 4 of the 6 owners originally signed the petition but since then 2 have requested that their names be withdrawn. However, the city's law department says the city is not obligated to remove their names. The estimated cost of the project is \$157,000 and \$110,000 would be assessed to the improvement district.

Rod Bell of 1817 E. 68th St S., one of the homeowners of this area, addressed DAB III saying he was one of those requesting his signature be rescinded as he signed the petition understanding both sewer and water service was being offered. He said the petition bearer misinformed him. He did not feel the assessed cost was worth it just for water service and he was also concerned that laying water lines would interfere with the operation of his septic system.

Dave Waters of 1820 & 1900 E. 68th St. S. and another homeowner also said he had signed the petition under mistaken circumstances and also wanted his signature removed. He objected to the payment of \$115 to \$120 per month for the assessment for just water service with no improvements to the sewer system. Council member **Lambke** thanked both men for appearing and presenting information. The bottom line is that with these two not over half of the area residents have signed the petition and as a result the project will not be going forward.

Action: Receive and file the report

City Manager's Office, Environmental Health and OCI

5. Council member Lambke welcomed **Matt Jordan**, Assistant to the City Manager who, in turn, introduced **Jack Brown**, Director Environmental Health, **Kurt Schroeder**, Superintendent of Office of Central Inspection and **Lt. Barry VonFange**. They presented information on the recently proposed program by the City Manager regarding joint enforcement of violations as a centerpiece of the Neighborhood Nuisance Code Enforcement Program.

Matt Jordan explained the proposal as outlined to the City Council members as a method to abate neighborhood nuisances. There is a lot of interest in beefing up these clean up efforts but because the city is proposing abatement or methods of actually alleviating the problems the costs of the program are expected to increase. They are seeking input from the DAB's and audience members about how to tailor the proposal.

Matt began the presentation explaining the purpose of the **Enhanced Neighborhood Code Enforcement Initiative** is to implement joint enforcement of violations on public and private property utilizing the efforts of all departments and enforcement personnel not just individual departments enforcing specific nuisance codes. This will increase the number of staff with the authority to enforce neighborhood nuisance codes and remove neighborhood nuisance violations more quickly. Initially, the violations covered will be limited to residential districts only and include: junk vehicles; illegal front and side yard parking; noxious weeds; trash, junk and debris; illegal outdoor storage; nuisance lighting; graffiti; and illegal right-of-way signage. These particular items were chosen as they are leading offenders, easily identified to the increased enforcement staff and limited in number enough to be a manageable initial effort.

Kurt Schroeder explained that the main changes include increased enforcement authority given to additional numbers of City of Wichita workers; steps required to accomplish violation enforcement are greatly reduced; increased emphasis on abatement/clean up; reduction of time; increased emphasis on City clean-up of properties; increased City budget for nuisance abatement program.

The benefits the program would result in shorter compliance time lines; increase emphasis on neighborhood standards; more efficient use of staff; simpler and easier system for citizen's to use; more eyes and ears focused on the problems; quicker property clean up; increased emphasis on neighborhood maintenance and improvement and more effective administrative procedures;

The considerations for the trade offs involve budget issues for the abatement costs, overtime for court appearances of staff and data sharing costs; public reaction to the more aggressive enforcement efforts; demographic equity and citizen resources; impact on Municipal Court system; the diversion of Public Works and Public Safety staff from other job functions; job description agreement and Union contract issues especially

concerning Fire and Police Departments; property rights concerns and abatement of occupied properties; implementation of new system and the coordination of operational details.

Jack Brown discussed the policy issues of residential versus non residential enforcement; city assuming responsibilities of property owners as a more effective means than Environmental Court and the mode of enforcement, abatement versus citation. This is an important consideration as abatement increases the costs but the benefits are immediate. There is a possibility that the abatement costs can be recouped from the property owners.

At this time planning is being done for implementation. Even though lots of decisions must still be made the idea is to approach implementation incrementally, beginning with selected joint enforcement to serve as a model for other violations that will impact neighborhood clean ups. The initial effort would be directed towards illegal parking, nuisance lighting and illegal sign enforcement. The second phase would be weed enforcement and the third phase would be junk cars, property clean up and bulky waste enforcement. The extent of abatement action would be contingent upon budget adjustments and staffing.

At the conclusion of the staff presentation **Council member Lambke** asked if they thought abatement cases will decrease due to the greater expense assessed for the work to the property owner when the city does it. It was the consensus of the staff that they don't quite know what to expect at this time. **CM Lambke** feels the strict enforcement of codes is the most important tool for preserving housing stocks. **Jack Brown** explained the reason the city is unable to collect mowing fees etc that are assessed to property owners is because the property will often have a negative property value and be turned back to the city.

An audience member asked what provisions would be made for property owners unable to physically do the needed work and unable financially to pay for the work. **Matt Jordan** says enforcement won't be able to allow many exceptions, as it would weaken the entire effort. He said the City was counting on a strong backing from all of the DAB's to make this change work. **Rob Snyder**, audience member and president of Planeview United, agreed that consistent enforcement was very important to this effort.

Matt Foley, DAB member, added that phased in enforcement was going to provide a gradual way of implementing the changes in policy and thought it would be most helpful enforcing the laws against parking on the grass. He thinks it would be a good way to write tickets and raise funds. He's very supportive and also sees this policy as an antidote to illegal dumping. **Matt Jordan** stated the city planned to get tough on enforcing the ban on city property. **Matt Foley** wondered if the city can help with some signage. **Kurt Schroeder** reminded Matt that this was one way the neighborhood could adopt a park under the new proposed rules of Park and Recreation Department.

Matt Jordan says the city will be focusing on 1)Enforcement; 2)Media; and 3)More citizen action. In fact a handbook with how-to instructions for neighborhood participation is being developed. The real focus of the abatement program is on enforcement. DAB member, **John Kemp** asked about the source of funding for this program. **Kurt Schroeder** responded saying the bulk of the funding would come from the General Fund. He also sees the use of CDBG funds as a possibility as well as tax dollars that might have gone to other areas but are being prioritized in a different way. Estimates for program costs at this time are \$200,000 but this may be a conservative estimate. If the traffic in Environmental Court is any indicator costs may be as high as \$600,000. Some of these estimates can't be changed until the actual program is implemented and actual costs are known.

DAB member **Phil Bloomquist** expressed concern about using WPD time for enforcement activities. He also wonders if some of the proposed changes won't affect the work load of the OCI staff. **Kurt** responded saying the present system is far more time consuming and bogs staff down considering all the required visits and court appearances. **Jack** also spoke up saying his staff is very supportive of the proposed changes. **Kurt** also pointed out that WPD staff has previously cooperated on these efforts when time allowed, he cited one Sunday during a light workload period WPD staff worked at removing illegal signs from the right-of-way. WPD staff will be utilized judiciously. **Matt Jordan** explained further that the mission of WPD and WFD remains highly important but the Mayor and the City Manager want the Police to be involved if they have the opportunity. They have the option of starting the case and letting someone else complete it. The aim is to make the process simpler and faster.

DAB member **Lois Ann Newman** says after hearing all the questions from this group about this new enforcement effort she thinks there will need to be lots of educational efforts directed towards the community and the staff. DAB member **Bill Ward** asked about Neighborhood Association efforts through Neighborhood Patrols and such. Matt sees it as a separate process and will bring in Neighbor to Neighbor at a later date. **Chantelle Brennan**, the newest member of DAB 3 said she was in favor of the plan being phased in but wondered if that plan would make the process inefficient. **Jack Brown** explained that a property with multiple infractions will be cited for all of the problems. **Melody Stucky**, president of South City Community Association applauds the efforts of the city staff involved in developing this plan and thinks it will benefit the entire city.

Community Police Office Virgil Miller reported that recruit staff are now accompanying officers on the street as they begin their careers with the WPD. He stated that he already impounds cars and writes tickets for cars parking on the grass. He mentioned he received a message from NA Vicki Mork about an abandoned van near the old YMCA but when he got there it was a divan. Overall the feeling of the group was one of support. **Council Member Lambke** reminded the group that the City Manager of Wichita along with the Council Members were looking for feedback from citizens regarding this proposed plan of action.

Matt Foley proposed that DAB III unequivocally support the efforts of the City of Wichita to promote city wide clean up through the abatement program. He does encourage the city to accept Neighborhood Association input, as it is integral to the success of the program.

Recommended Action: Motion made to support the new abatement program Foley (Bloomquist) motion passed 10-0 unanimous.

Board Agenda

6. Neighborhood Association Reports—Phil Bloomquist, Mead Neighborhood Association says they have been having a problem with curbs damaged due to water pipe breaks. He states he has contacted the Water Department but he has not been called back. NA Vicki Mork suggested he forward the specific addresses to her so she can pass them on. **Phil** also said he served on the **County Board of Health**. Pat McDonald, Public Relations for the Sedgwick County Health Department provides an extensive tour to groups interested in attending, it lasts three hours and includes a free lunch. DAB III would be welcome. Also stated that he thought Ace's Pawn Shop was again storing cars in the fenced in area.

Judy Dillard, South Area Neighborhood Association reported utilities are being moved on S. Hydraulic in preparation of street widening. CM Lambke said the council just voted another \$2.5 million towards the project.

Gene Fuhr, South City Community Association reported OCI staff person, Deb Legge attended their last meeting made a good presentation and took complaints which were responded to promptly.

Adjournment

A motion to adjourn was made at 9:39 pm by Jim Gulick (Kemp).

Visitors

Betty Strickland	1302 Galena
Annette Mapes	1314 Galena
Paul Weigand	1141 Denker
Eldon Sumpter	2754 Greenwood
Officer Jeff Andres	WPD
Lt. Barry Von Fange	WPD
Office Jamie Crouch	WPD
Officer Mike Hungria	WPD
Officer D.R. Binkley	WPD
Officer Virgil Miller	WPD
Lonny Wright	2320 Alameda
Melody Stucky	2756 Mason

Rob Snyder	3620 S. Sunnybrook
David Waters	1820 E, 68 th St. S.
Rod Bell	1817 E. 68 th St. S.
Jan Chatman	Park and Rec Department
Elena Ingle	3608 Meadow Lane
Ken Schoenhaus	1944 George Washington Blvd
Terry Sutherland	2330 S. Pershing
Joann Hartig	1756 S. Main
Cordel Carter	2409 S. Holyoke
Office R.A. Thatcher	WPD
Officer D.C. Mitchell	WPD
Officer D. Diehl	WPD
Bill Morris	City Engineer's Department